

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CIVIL ACTION NO. 1:19-cv-971 (WOB-SKB)

KAVIN LEE PEEPLES

PETITIONER

VS.

JUDGMENT

ANGELA L. BYERS

RESPONDENT

This matter is before the Court on the Report and Recommendation of the United States Magistrate Judge (Doc. 4), and having considered *de novo* those objections filed thereto by Petitioner (Doc. 6), and the Court being sufficiently advised,

**IT IS ORDERED** that the objections (Doc. 6) to the Report and Recommendation (Doc. 4) be, and hereby are, **overruled**. That the Report and Recommendation of the Magistrate Judge (Doc. 6) be, and it hereby is, **adopted** as the findings of fact and conclusions of law of this Court; that petitioner's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 1), is **DISMISSED WITHOUT PREJUDICE**. No certificate of appealability shall issue herein. Pursuant to 28 U.S.C. § 1915(a)(3), any application by petitioner to proceed on appeal *in forma pauperis* would be not be taken in "good faith."

This 22nd day of January, 2020.



**Signed By:**

**William O. Bertelsman** *WOB*

**United States District Judge**